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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,970	11/20/2001	Andreas Prokoph	DE920000094US1/2265P	1657

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EXAMINER

THAI, HANH B

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,970

Applicant(s)

PROKOPH, ANDREAS

Examiner

Hanh B. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 12/6/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The following is a Non-final Office Action in response to a Request for Continued Examination filed December 6, 2005. Claims 1-23 have been cancelled. Claims 24-47 are newly added. Claims 24-47 are pending in this application.

Response to Arguments

2. Applicant's arguments with respect to claims 24-47 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 24-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et al. (US Patent no. 6,631,369) of record in view of Nelson et al. (US Patent no. 6,243,713) of record and further in view of Sumita et al. (US 5,907,841) cited in the previous Office Action.

Regarding claims 24 and 32, Meyerzon discloses a method for retrieving information using a search engine, the method comprising:

retrieving a document to be indexed (see col.4, lines 54-62, Meyerzon); and

storing the plurality of tokens in a search index, wherein the search engine accesses the search index to identify one or more virtual documents that satisfy a search query and retrieves

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one or more documents corresponding to the one or more virtual documents (see col. 7, lines 44-65 and col.8, lines 1-10, Meyerzon. The data type of information corresponding to the “token”).

Meyerzon, however, does not explicitly disclose decomposing the document into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia information including decomposing the document into a plurality of tokens (see abstract of Nelson; Fig.2 and Fig.4; col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Meyerzon and Nelson combination does not disclose generating a virtual document based on the retrieved document. Sumita discloses system and method of generating a summary of document based on original document. The summary of document reads on the virtual document because it comprises a portion of the original document that characterizes an overall content of the original document (abstract; summary Figs.48-53 and Figs.56-60 and col.28, lines 51-65, Sumita). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination system of Meyerzon and Nelson to include the claimed feature as taught by Sumita. The motivation of doing so would have been to provide an efficient system that would reduce the burden on the user to read or extract the entire content of the original document by viewing only a portion of each document (col.2, lines 53-56, Sumita).

Regarding claim 40, Meyerzon discloses a system for retrieving information using a search engine, the system:

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- A crawler for retrieving a document to be indexed (see col.4, lines 54-62, Meyerzon);
- a storage device (100, Fig.2 and corresponding text, Meyerzon) coupled to the extractor for storing the virtual document;
- a search engine indexer (300, Fig.2) coupled to the storage device; and
- a search index (400, Fig.2) coupled to the search engine indexer for storing the plurality of tokens, wherein the search engine accesses the search index to identify one or more virtual documents that satisfy a search query and retrieves one or more documents corresponding to the one or more virtual documents (see col. 7, lines 44-65 and col.8, lines 1-10; Fig.2 and corresponding text, Meyerzon).

Meyerzon, however, does not explicitly disclose the steps of decomposing the document extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia document including the decomposing the document into a plurality of tokens (see abstract of Nelson; Fig.2 and Fig.4; col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Meyerzon and Nelson combination does not disclose generating a virtual document based on the retrieved document. Sumita discloses system and method of generating a summary of document based on original document. The summary of document reads on the virtual document because it comprises a portion of the original document that characterizes an overall content of the original document (abstract; summary Figs.48-53 and Figs.56-60 and col.28, lines 51-65,

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Sumita). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination system of Meyerzon and Nelson to include the claimed feature as taught by Sumita. The motivation of doing so would have been to provide an efficient system that would reduce the burden on the user to read or extract the entire content of the original document by viewing only a portion of each document (col.2, lines 53-56, Sumita).

Regarding claims 25, 33 and 41, Meyerzon/Nelson/Sumita combination further discloses recording positional information of the portion extracted within the document (see col. 6, lines 1-10, Nelson).

Regarding claims 26, 34 and 42, Meyerzon/Nelson/Sumita combination discloses the step of storing the recorded positional information with the plurality of tokens in the search index (see col.6, lines 1-34, Nelson).

Regarding claims 27, 35 and 43, Meyerzon/Nelson/Sumita combination discloses wherein the portion of the retrieved document that characterizes the overall content of the retrieved document is a summary of retrieved document (see Figs.48-53 and Figs.56-60 and col.28, lines 51-65, Sumita).

Regarding claims 28, 36 and 44, Figs.48-53 and Figs.56-60 and col.28, lines 51-65, Sumita combination discloses the step of extracting from the retrieved document a collection of a words, features, whole sentence or parts of sentences that characterizes the overall content of the retrieved document. (see Figs.48-53 and Figs.56-60 and col.28, lines 51-65, Sumita).

Regarding claims 29, 37 and 45, Meyerzon/Nelson/Sumita combination disclose wherein extraction of the collection of words, features, whole sentence or parts of sentences is based on frequency of occurrence, word-salient-measure, proximity to the beginning of a paragraph,

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proximity the beginning or end of the retrieved document, or position within a certain document structure in the retrieved document (abstract; summary and col.28, lines 51-65, Sumita).

Regarding claims 30, 38 and 46, Meyerzon/Nelson/Sumita combination discloses wherein each of the plurality of tokens comprises a word, a feature, a whole sentence, or a part of a sentence in the virtual document (see Figs.48-53 and Figs.56-60 and col.28, lines 51-65, Sumita).

Regarding claims 31, 39 and 47, Meyerzon/Nelson/Sumita combination discloses wherein the retrieved document is a web-page (see abstract and Fig.2, Meyerzon).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B. Thai whose telephone number is 571-272-4029. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Hanh B Thai
Examiner
Art Unit 2163

December 22, 2005



UYEN LE
PRIMARY EXAMINER